

AMENDED IN ASSEMBLY APRIL 23, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

## ASSEMBLY BILL

**No. 1120**

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**Introduced by Assembly Member Niello**

February 27, 2009

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An act to add ~~Section 17297.5 to~~ *and repeal Section 17269 of the Education Code, relating to school facilities.*

### LEGISLATIVE COUNSEL'S DIGEST

AB 1120, as amended, Niello. School facilities: ~~construction: cost containment~~ *constructability reviews.*

Existing law, the Field Act, requires the Department of General Services under the police power of the state to supervise the design and construction of a school building or the reconstruction or alteration of, or addition to, a school building, if not exempted under specified law, to ensure that plans and specifications comply with adopted rules and regulations and building standards published in regulations, and to ensure that the work of construction is performed in accordance with the approved plans and specifications for the protection of life and property.

~~This bill would authorize a school district to include a constructability review with the plans and specifications it submits to the Department of General Services for approval.~~ *require the department, in consultation with school districts, construction managers, and other interested parties, to develop and implement a plan to incentivize the use of constructability reviews of plans and specifications used for the construction of school facilities. The department would be required to*

*submit a report, by June 30, 2013, to the education policy committees of the Legislature and the State Allocation Board, on the implementation of incentives adopted under the plan and the use of constructability reviews. The bill would define “constructability review” as a cost control technique by which the project plans and specifications are reviewed by mechanical, electrical, structural, and construction professionals hired by the school district to identify potential claim or problem areas and deficiencies in the plans and specifications that may occur as a result of errors, ambiguities, omissions, discrepancies, and conflicts in the plans and specifications. These provisions would be repealed on January 1, 2014.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. *The Legislature finds and declares that there is*
- 2     *a benefit to performing a constructability review of plans and*
- 3     *specifications used for the construction of school facilities because*
- 4     *those reviews anticipate errors or omissions in the design*
- 5     *documents and, thus, reduce the number of change orders made*
- 6     *during the construction phase of school construction projects.*
- 7     SEC. 2. *Section 17269 is added to the Education Code, to read:*
- 8     17269. (a) *The Department of General Services, in*
- 9     *consultation with school districts, construction managers, and*
- 10    *other interested parties, shall develop and implement a plan to*
- 11    *incentivize the use of constructability reviews of plans and*
- 12    *specifications used for the construction of school facilities.*
- 13    (b) *By June 30, 2013, the Department of General Services shall*
- 14    *submit to the education policy committees of the Legislature and*
- 15    *the State Allocation Board a report on the implementation of*
- 16    *incentives adopted under the plan developed pursuant to*
- 17    *subdivision (a) and the use of constructability reviews.*
- 18    (c) *For purposes of this section, “constructability review” means*
- 19    *a cost control technique by which the project plans and*
- 20    *specifications are reviewed by mechanical, electrical, structural,*
- 21    *and construction professionals hired by the school district to*
- 22    *identify potential claim or problem areas and deficiencies in the*
- 23    *plans and specifications that may occur as a result of errors,*

1 *ambiguities, omissions, discrepancies, and conflicts in the plans*  
2 *and specifications.*

3 *(d) This section shall remain in effect only until January 1, 2014,*  
4 *and as of that date is repealed, unless a later enacted statute, that*  
5 *is enacted before January 1, 2014, deletes or extends that date.*

6 ~~SECTION 1. Section 17297.5 is added to the Education Code,~~  
7 ~~to read:~~

8 ~~17297.5. When a school district submits plans for approval~~  
9 ~~pursuant to this article, the school district may include a~~  
10 ~~constructability review. For purposes of this section,~~  
11 ~~“constructability review” means a cost control technique by which~~  
12 ~~the project plans and specifications are reviewed by mechanical,~~  
13 ~~electrical, structural, and construction professionals hired by the~~  
14 ~~school district to identify potential claim or problem areas and~~  
15 ~~deficiencies in the plans and specifications that may occur as a~~  
16 ~~result of errors, ambiguities, omissions, discrepancies, and conflicts~~  
17 ~~in the plans and specifications.~~